

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Multiple sheets used when necessary)

SHEET 1 OF 2

Application No.	09/111604
Filing Date	July 7, 1998
First Named Inventor	Mohamed K. Diab
Art Unit	3768
Examiner	Eric Frank Winakur
Attorney Docket No.	MASIMO.007C3

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	5,448,991	09/1995	Polson, et al.	
	2	2009-0076400	03/2009	Diab, et al.	
	3	2009-0099430	04/2009	Diab, et al.	
	4	2009-0182211	07/2009	Diab, et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
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## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	5	Revised Joint Claim Construction Chart, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 10/19/10.	
	6	Philips' Opening Markman Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 10/19/10.	
	7	MASIMO Corporation's Opening Claim Construction Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 10/19/10.	
	8	Declaration of Perry D. Oldham in Support of MASIMO Corporation's Opening Claim Construction Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 10/19/10.	
	9	Declaration of Robert T. Stone in Support of Philips' Responsive Markman Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 11/15/10.	
	10	MASIMO Corporation's Responsive Claim Construction Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 11/19/10 (REDACTED).	
	11	Confidential Declaration of Michelle Armond in Support of MASIMO Corporation's Responsive Claim Construction Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 11/19/10 (REDACTED).	
	12	Philips' Responsive Markman Brief, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 11/22/10.	

Examiner Signature

Date Considered

**\*Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**T<sup>1</sup>** - Place a check mark in this area when an English language Translation is attached.

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	13	MASIMO's Technical Tutorial, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 12/01/10.	
	14	Philips' Claim Construction Hearing, Presentation Materials, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 12/01/10.	
	15	Transcript of Markman Hearing, MASIMO Corporation v. Philips Electronics North America Corporation and Philips Medizin Systeme Böttingen GMBH, (District of Delaware, Case No. 1:09-cv-00080 (LPS/MPT) dated 12/01/2010.	
	16	Mallinckrodt, Inc. v. Masimo Corp., 254 F. Supp.2d 1140 (C.D. Cal. 2003).	

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